

REMARKS

This paper is being filed in response to the Office action mailed on November 10, 2003.

Sections 2 and 3 of the official action reject claims 25-27 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is stated that it is unclear what is meant by "said second node means is pre-assigned a time slot" in claim 25.

Applicant does not understand the basis for the stated objection. The action contains no explanation of the reasoning underlying the clarity objection. The action states that the phrase is unclear, but it includes no discussion explaining why the phrase is considered to be unclear. Since the cited phrase appears clear to the applicant, it is difficult to offer any clarifying remarks or amendments. In an effort, however, to advance the prosecution of the claims, applicant does offer the following. In the context of claim 25, since the second node means is not capable of participating in the dynamic assignment protocol, a time slot is pre-assigned to it so that it can participate in the network of nodes. Thus, rather than dynamically assigning itself a time slot, the second node means is pre-assigned a time slot.

Sections 4 and 5 of the official action reject claims 1, 4, 5, 7, 8, 10, 12, 14, 15, 18, 21, 22, 25 and 26 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,594,738 of Crisler et al. More specifically, the office action bases its

rejection in large measure on Figures 1 and 5, and on text appearing in column 9 of the Crisler reference. Upon review of the reference and the pending claims, however, it is believed that, for several reasons, the pending claims are allowable over Crisler.

Regarding the §102 rejections of sections 4 and 5, the cited claims differ from the Crisler reference in several respects. For example, in Crisler a node does not assign itself a timeslot. The cited text at column 9, lines 18-21, of Crisler only discloses the sending of a timeslot request from a communication unit to a centralized controller. In Crisler, the central controller performs the requested timeslot assignment function. Thus, in Crisler, the communication unit does not assign itself a timeslot, the central controller assigns a timeslot to the communication unit after receiving a request from a communication unit. In contrast, a dynamic node of the pending claims assigns itself a timeslot.

By way of further example of the patentability of the claims over the cited Crisler reference, applicant is of the opinion that Crisler does not disclose the participation of a static node. In support of the rejection, the action cites "communication unit 102 which is allocated time slots A2 in FIG. 5 by a time slot allocator 101." The cited Crisler reference, however, shows only dynamically allocated slots that have been assigned by a time slot allocator (see col. 4, lines 9-12, and col. 9, lines 30-38, for example, of Crisler). It does not disclose the inclusion of a static node with a preassigned timeslot.

Sections 7 and 8 of the official action state that claims 2, 3, 9, 13, 16, 17, 19, 20 and 27 would be allowable if rewritten in independent form to include the

limitations of the relevant base and intervening claims. For the reasons stated above, however, it is believed that these claims are also allowable in their present dependent form.

In closing, a Notice of Allowance allowing all of the pending claims is respectfully requested.

Respectfully Submitted,

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